IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29201 of 2008
1. HARU MANJHI @ VIJAY MANJHI
2. Dahu Manjhi
Versus

STATE OF BIHAR
- - - -

2. 5.8.2008 Heard.

The case is under Section 302 of the Indian penal Code and the two petitioners along with three others are alleged to have assaulted the deceased with iron rods and lathi so as to causing his death.

The prayer for bail is resisted by Shri Abhimanyu Sharma, learned Additional Public Prosecutor on the ground that the petitioners have been named in the F.I.R. and the allegation is supported from the case diary.

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The Court is not inclined to direct release of the accused in the cases of serious nature but when the court below itself could not give specific finding after perusing the case diary as to who could have assaulted the deceased causing injury to the deceased, rather, appears recording the finding that all the accused assaulted the deceased, I find it a fit case for granting bail to the petitioners.

Let the above named two petitioners be directed to be released from custody on their furnishing bonds each of Rs. 10,000/-(ten thousand) with two sureties of the like amo0unt each to the satisfaction of the Chief Judicial Magistrate, Gaya, in Barachatti P.S.Case No.70 of 2007.

Kanth

(Dharnidhar Jha, J.)

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